

**C. Heuvelton - RESTORE III - Pickens Hall (W810)**

June 28, 2011

General Project Plan

**Grantee:** Village of Heuvelton (“Heuvelton” or the “Village”)

**Beneficiary Company:** Heuvelton Historical Association

**ESD Investment:** A grant of up to \$490,000 to be used for a portion of the cost of renovation of Pickens Hall.

**Project Location:** 83 State Street, Heuvelton, St. Lawrence County

**Project Completion:** April 2012

**Grantee Contact:** Barbara Lashua, Mayor  
51 State Street  
Heuvelton, NY 13654  
Phone: (315) 344-2214 Fax: (315) 344-1246  
Email: BLashua@twcny.rr.com

**Beneficiary Contact:** David Kingsley, President  
Heuvelton Historical Association  
83 State Street  
Heuvelton, NY 13654  
Phone: (315) 344-2380

**Project Team:**

Project Management	Wai Shiu
Design and Construction	Marty Piecuch
Affirmative Action	Gowshihan Sriharan
Environmental	Soo Kang

**Project Description:**

Background

The Village of Heuvelton is located on the Oswegatchie River in the northwestern part of St. Lawrence County. The Village was first settled in 1792 and it is currently home to approximately 760 residents. This rural village has a small but important local economic base and is considered an economically distressed area, with 11.4% unemployment and 13.7% of families living below the poverty level.

In 2005, the St. Lawrence County Housing Council and the Village created a community development plan. Two of the top priorities identified in Heuvelton’s Community Development Plan are improving the aesthetics of State Street, downtown’s main street,

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and renovating Pickens Hall, a three-story stone building located on State Street and listed on the National Register of Historic Places. This is the Village's most important downtown landmark and is anticipated to provide commercial and retail space on the first and second levels, and a museum or opera house on the third floor. Renovation of Pickens Halls would be completed in four phases.

The Village and Heuvelton Historical Association have sought financial support from various public and private sources, but a funding gap remains. ESD's Restore NY funding is critical in realizing the full scope of the project.

In 2008, the ESD Directors approved a \$300,000 Restore II grant to the Village to renovate the first and second floors (Phases I & II) of Pickens Hall. Heuvelton complied with all requirements and the grant was closed in 2011.

#### The Project

ESD grant funds will be used in Phases III and IV of the Pickens Hall renovation project. Phase III consists of the construction of a 4,571-square-foot addition to the rear of the Pickens Hall building. The addition will house an elevator to make the second and third floors accessible to those with disabilities. The addition will also include restrooms, a lobby area, and storage. Phase IV consists of the restoration of the opera house and other rooms on the third floor of the existing building. The project will also include a parking lot and a sprinkler system to both the addition and to the existing 17,612-square-foot Pickens Hall building.

The property is owned by the Heuvelton Historical Association, who is also the project's developer. The project is expected to begin in July 2011 and to be completed in April 2012.

The first floor of the Pickens Hall is now fully operational as the Pickens General Store, with more than 1,600 visitors in 12 months. When the renovation of Pickens Hall is fully complete, it will contain a general store, a sales outlet for Amish handicrafts and furniture, a performance space, and a museum to Amish culture and the Heuvelton community. The project is expected to revitalize commerce in the Village.

Financing Uses	Amount	Financing Sources	Amount	Percent
Construction	\$1,200,000	ESD Grant	\$490,000	33%
Parking Lot	30,000	Sweetgrass Foundation	29,416	2%
Water / Sewer System	15,000	Private Donations	320,584	22%
Soft Costs, Incl. Contingencies	195,000	Village Equity*	625,000	43%
Grant Administration	25,000			
<b>Total Project Costs</b>	<b>\$1,465,000</b>	<b>Total Project Financing</b>	<b>\$1,465,000</b>	<b>100%</b>

\* Comprised of New York State Office of Parks, Recreation and Historic Preservation (OPRHP) Environmental Protection Fund 2007 & 2010 grants

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#### **Financial Terms and Conditions:**

1. Upon execution of the grant disbursement agreement, the Village will reimburse ESD for all out-of-pocket expenses incurred in connection with the project.
2. The Village will be obligated to advise ESD of a materially adverse change in its financial condition prior to disbursement.
3. The Village will ensure the contribution of at least a 10% match of the grant amount to the Project.
4. Up to \$490,000 will be disbursed to Grantee during the course of the project no more frequently than quarterly, in compliance with ESD's Design and Construction requirements, assuming that all project approvals have been completed and funds are available. Approved eligible costs will be fully reimbursed less the retainage of 10% of the grant amount (\$49,000). The final disbursement, which shall be at least 10% of the grant amount, shall be made to the Grantee upon completion of the project, as evidenced by certificates of completion for Phases III and IV. Payment will be made upon presentation to ESD of an invoice and such other documentation as ESD may reasonably require. Expenses must be incurred on or after May 4, 2009, to be considered reimbursable project costs. Previously expended funds may be applied toward match requirements retroactive to June 23, 2006, when the Restore New York Legislation was enacted.
5. ESD may reallocate the project funds to another form of assistance, at an amount no greater than \$490,000, for this project if ESD determines that the reallocation of the assistance would better serve the needs of the Village and the State of New York. In no event shall the total amount of any assistance to be so reallocated exceed the total amount of assistance approved by the Directors.
6. If the Grantee is not the owner of the Project, then the Grantee shall prohibit, for five years from the date of the initial disbursement of Grant funds, any transfer of the Project in whole or in part, by sale, lease, or conveyance of any interest in or with respect to the Project except (a) transfers of minor interests in the Project site, such as utility easements and limited rights-of-way, and (b)(i) the arms-length basis sale or lease of individual condominium units in the ordinary course of business for a condominium development and (ii) the arms-length basis residential or commercial lease in the ordinary course of business for a commercial, residential, or mixed-use rental development. In the event that such a prohibited transfer occurs within such five-year period, the Grantee shall pay to ESD, promptly upon ESD's written demand therefor, the applicable amount indicated below.

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The Recapture Amount is based on the time that has lapsed between when the Grant funds were disbursed and when the transfer occurred. The Recapture Amount shall be calculated by aggregating the Recapture Amount for each disbursement of the Grant, which in each instance shall be equal to:

- (i) 100% of the disbursed amount if the transfer occurred in the calendar year that the disbursement was made, or in the first full calendar year after the disbursement was made;
- (ii) 80% of the disbursed amount if the transfer occurred in the second full calendar year after the disbursement was made;
- (iii) 60% of the disbursed amount if the transfer occurred in the third full calendar year after the disbursement was made;
- (iv) 40% of the disbursed amount if the transfer occurred in the fourth full calendar year after the disbursement was made;
- (v) 20% of the disbursed amount if the transfer occurred in the fifth full calendar year after the disbursement was made.

#### **Design and Construction:**

D&C staff will review the project budget, plans, specifications and at its option, visit the Pickens Hall renovation site in the Village of Heuvelton to monitor construction progress for the scoped work. There will be multiple progress payments, not less than quarterly and each requisition will be reviewed and recommended for payment only when D&C and SHPO requirements have been satisfied.

The aforementioned project will be reviewed in conjunction with D&C requirements and forms.

#### **Environmental Review:**

The Village of Heuvelton, as lead agency, has completed an environmental review of the proposed project, pursuant to the requirements of the State Environmental Quality Review Act ("SEQRA") and the implementing regulations of the New York State Department of Environmental Conservation. This review found the project would not have a significant effect on the environment. ESD staff reviewed the supporting materials and concurs. It is recommended that the Directors make a Determination of No Significant Effect on the Environment.

Due to the building's inclusion in the National Register of Historic Places, ESD has confirmed that the project sponsor initiated consultation with the New York State Office of Parks, Recreation and Historic Preservation ("OPRHP") pursuant to Section 14.09 of the New York State Parks, Recreation and Historic Preservation Law. ESD will ensure that consultation is completed with OPRHP in accordance with a Letter of Understanding.

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#### **Affirmative Action:**

ESD's Non-discrimination and Affirmative Action policy will apply. The Village of Heuvelton is encouraged to use its best efforts to achieve a Minority Business Enterprise participation goal of 3% and a Women Business Enterprise participation goal of 2% of the total dollar value of work performed pursuant to contracts or purchase orders entered into in connection with the construction work related to the project and to include minorities and women in any job opportunities created by the project.

#### **Statutory Basis – Restore NY Communities:**

Land Use Improvement Project Findings

1. The area in which the project is to be located is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area and tends to impair or arrest sound growth and development of the municipality.  
The project involves the rehabilitation and reconstruction of an abandoned commercial building, which has been deemed by the Village to arrest sound growth and development in the area.
2. The project consists of a plan or undertaking for the clearance, replanning, reconstruction and rehabilitation of such area and for recreational and other facilities incidental or appurtenant thereto.  
The project involves the rehabilitation and reconstruction of a site that the Village has included in its overall master development plan, developed in 2005, which includes the project as a top priority.
3. The plan or undertaking affords maximum opportunity for participation by private enterprise, consistent with the sound needs of the municipality as a whole.  
The Village published a property assessment list and held a public hearing on the project at the time of application. The Village will ensure compliance with all applicable local laws and regulations.
4. The requirements of Section 10(g) of the Act are satisfied.  
There are no families or individuals displaced from the Project area.

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Communities 08-09 – Determination of No Significant Effect on the Environment

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RESOLVED, that based on the material submitted to the Directors with respect to the Village of Heuvelton - Restore III - Pickens Hall Project, the Corporation hereby determines that the proposed action will not have a significant effect on the environment.

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